

IN RE ARBITRATION

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FREE SPEECH COALITION INC.,)
et al.,)
 Plaintiffs,) CIVIL ACTION NO.
vs.) 2:09-4607
THE HONORABLE ERIC H. HOLDER,)
JR., Attorney General,)
 Defendant.)
- - - - -

DEPOSITION OF CAROL A. QUEEN, Ph.D.

THURSDAY, APRIL 18, 2013

BEHMKE REPORTING AND VIDEO SERVICES, INC.

BY: DAWN EILEEN HOWARD, CSR NO. 13201

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BEHMKE REPORTING AND VIDEO SERVICES, INC.
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1 Francisco Sex Information. That was a shorter period of
2 time, but was over the same period of time. I am
3 currently, in addition to the Good Vibrations job that I
4 still hold, the founding director at the Center for Sex
5 & Culture.

6 Q. Can you describe what the Center for Sex &
7 Culture is.

8 A. Center for Sex & Culture is a small nonprofit
9 that maintains a library and archive, as well as a
10 gallery, having to do with sexuality-related topics. We
11 collect notable papers from writers and activists,
12 books, from pop culture to academic, a range of
13 materials having to do with sexuality. And we produce
14 and offer sex ed classes, sex-related cultural
15 programming, and related benefits and things that
16 help -- allow the entity to continue.

17 Q. All right. And at Good Vibrations, currently
18 are you still in charge of their educational program?

19 A. My title now is staff sexologist and staff
20 historian, as well as the curator of the Antique
21 Vibrator Museum.

22 Q. Can you just describe what your duties are.

23 A. My fundamental role is overseeing educational
24 programming for the staff and the public, as far as the
25 entities that we do or the workshops that we do within

1 a camera entering on any level, and we would have guards
2 there at the door as well. And then there would be a
3 room -- the refreshment table -- the place where I would
4 give interviews and interview other people while the
5 Masturbate-a-Thon was going on. Because the point of
6 the whole thing, as a live event webcast, is to talk
7 about masturbation and communicate ideas and information
8 about masturbation from the perspective of both the
9 people who are there, but also the -- the sexology of
10 it.

11 So people would enter. They would stay at
12 the -- stay in line for the desk, the registration desk,
13 until we had everyone carded. The people who wanted to
14 be in the public room would go over to the side to talk
15 to the people who are doing that, taking their IDs, and
16 then everyone would mingle until they went into their
17 general rooms. People didn't have to masturbate, but
18 they could. There was a space set aside for women only,
19 if women didn't want to be in a group. Also one for men
20 only, if men didn't want to be in the group.

21 And the other thing that was salient to all of
22 these Masturbate-a-Thons is that we gave awards for the
23 person who masturbated the longest time. So people
24 would come in and set themselves up with timekeepers and
25 do that whole competitive thing. And I would talk about

1 that from the -- either from the public room or from the
2 main rooms, see how people were doing, talk about what
3 it takes to masturbate for a long time. Not everyone
4 can do it, et cetera.

5 Does that give you the information you need?

6 Q. Yes, it does.

7 A. All right.

8 Q. This is probably a fairly obvious point, but I
9 just want to get it on the record. Is there any sexual
10 intercourse at the Masturbate-a-Thon?

11 A. It is expressly forbidden. Sexual intercourse
12 is expressly forbidden. Partner sex is not
13 masturbation. If a partner wants to be with their
14 masturbating partner, they can be with them, in contact
15 with them, but no sexual intercourse.

16 Q. Okay. So what -- just to clarify, what you
17 would show on a webcast would be basically images of
18 masturbation and depictions of genitalia?

19 A. Right, and discussions thereof.

20 Q. Okay. And can you describe to me how it works
21 that the -- I'm going to call it "streaming." Is that
22 how --

23 A. I think that's the right term. I'm not a
24 techie, but I think that's --

25 Q. Me neither, but if we could just agree on that

1 term, we'll call it "streaming," the method by which you
2 put it on the internet.

3 A. Right.

4 Q. Can you describe that process.

5 A. I can describe only a little, because there's a
6 technology involved that I don't fully understand. My
7 understanding is that our crew would come in and connect
8 some kind of device -- that I'm not even sure of the
9 name of -- that allowed for enough bandwidth to go out
10 and actually do a successful stream. The first time we
11 tried it we didn't have such a bandwidth ability, and we
12 don't think we actually did stream. We don't even know.

13 We got people in who knew how to do it, and so
14 they would really be in charge of the entire technical
15 piece of how they would -- how they wanted the room so
16 that they would have camera ability, that they wouldn't
17 disturb people but they could go into the people who did
18 wish to be depicted and get them appropriately, get them
19 on the stream. And I believe the camera is attached to
20 this device with long, long cords. That's what I
21 remember.

22 And there was an element involved with our
23 webmaster installing a button so that people could go
24 and access the stream, I think.

25 Q. Okay. When is the -- what year was the first

1 interesting to international press than to U.S. press,
2 which is fascinating. And so I'll do -- I will do
3 telephone interviews with people from around the world
4 and a few people in the U.S. to try to get pre-attention
5 made, and we'll mention that there's a streaming part,
6 if we've got -- if we think we've got that as part of
7 the Masturbate-a-Thon.

8 And then it appears to me that there is -- that
9 there has been just general word of mouth or word of --
10 I don't know -- word of Facebook, word of internet
11 chatter, because people will e-mail us to ask us about
12 the Masturbate-a-Thon and when it is, who are not on our
13 list and whom we have not heard of before.

14 So people, we'll hear back, will want to
15 attend. People come from out of town to attend it
16 sometimes.

17 So that's the -- that's what I know about that.

18 Q. All right. Did you ever receive any reports or
19 anything that would enable you to know how many people
20 were viewing the live stream?

21 A. Yes, I think so. A couple of times at least,
22 and it was not an enormous number. I do not remember
23 for certain, but it would surprise me if it were more
24 than 150 people who had actually accessed it. But
25 that's not something that I can say with 100 percent

1 my sense, from having been there on the ground, that
2 there was more talk show than explicit most years. But
3 I couldn't say that conclusively because, rather than
4 viewing the stream, I was participating.

5 Q. Does -- the live streams, are they ever
6 replayed, sort of like you might see a repeat episode on
7 television? Did you ever replay like the, let's throw
8 out, 2008 Masturbate-a-Thon? Did you ever replay them
9 on the internet?

10 A. We never replay anything, no. Because
11 there's -- no. I don't know about the UK TV show. I
12 don't know about that. Maybe, but I don't know.

13 Q. And what do you mean? What is the UK TV show?

14 A. Well, there was a TV show made in the UK about
15 the Masturbate-a-Thon that we participated in, but
16 we weren't the -- I mean, we were the subjects of it,
17 really, not the producers or anything like that. And I
18 don't know -- I'm almost positive that has never aired
19 here. I'm not even sure it aired there.

20 Q. But as far as you and the people who actually
21 put it on and the center, you never -- it's a one-time
22 deal? Each Masturbate-a-Thon is a one-time deal for
23 when it appears on the internet?

24 A. That's correct. It's meant to be special in
25 that way. It's really meant to be effervescent. It's

1 depiction. It may only be faces. It may only be
2 orgasmic faces.

3 There was a couple here in the Bay Area who
4 were doing something called "Red Handed Productions"
5 that cosponsored the Masturbate-a-Thon one year to
6 promote their little masturbation videos. And I know
7 there must be zillions more, but I couldn't tell you
8 specific names of companies.

9 Q. Do you know what the age range of people that
10 participate in the Masturbate-a-Thons?

11 A. Well, it goes up to the 60s or even 70 years
12 old. I'm trying to remember the age of the youngest
13 person that I can remember seeing an ID for. I feel
14 like it's 19 or 20. People in their early 20s are rare
15 there. That's not the kind of thing that most young
16 people are interested in at all. It's mostly people in
17 their 30s and 40s who attend.

18 Q. But if someone came who had an ID, an
19 appropriate ID who was 18 or 19, you would not prevent
20 them from participating; is that accurate?

21 A. If they had an appropriate ID, no.

22 Q. No, meaning you would not --

23 A. No, no. I'm sorry, yes, I would not prevent
24 them from participating if they had an appropriate ID.

25 Q. Okay. How many of the 19- or 20-year-olds do

1 STATE OF CALIFORNIA)
2) Ss.
3 COUNTY OF SAN FRANCISCO)
4

5 I hereby certify that the witness in the
6 foregoing deposition, CAROL A. QUEEN, Ph.D., was by me
7 duly sworn to testify to the truth, the whole truth, and
8 nothing but the truth, in the within-entitled cause;
9 that said deposition was taken at the time and place
10 herein named; that the deposition is a true record of
11 the witness's testimony as reported by me, a duly
12 certified shorthand reporter and a disinterested person,
13 and was thereafter transcribed into typewriting by
14 computer.

15 I further certify that I am not interested in
16 the outcome of the said action, nor connected with, nor
17 related to any of the parties in said action, nor to
18 their respective counsel.

19 IN WITNESS WHEREOF, I have hereunto set my hand
20 this 30th day of April, 2013.
21
22

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24 DAWN E. HOWARD, CSR NO. 13201
25 STATE OF CALIFORNIA